

Municipal Building, Harmony, NJ, March 2, 2004.  
7:30 p.m.

Regular Preside	The regular meeting of the Township Committee of Harmony Township Warren County, New Jersey was called to order by Mayor Louis G. Mattei. Mayor Mattei made the following announcement: Adequate notice of this meeting was given in accordance with the Open Public Meetings Act by providing a notice of the meeting to The Star-Gazette and The Express-Times, posting a copy thereof on the Township bulletin board and filing a copy thereof in the office of the Municipal Clerk. The Pledge of Allegiance to the American Flag was led by Mayor Mattei.
Roll call	Present were Mayor Louis G. Mattei, Committeeman John H. Burdge, Committeewoman Abigail Postma, Municipal Attorney William R. Edleston, Engineer Nevitt Duveneck and Zoning/Code Enforcement/Public Officer John S. Fritts.
Engineer s Report	<p>Engineer Nevitt Duveneck reported on the following: (1) Rotondi/Harmony Compost facility scheduled for inspection in March. Correspondence will be forwarded to the NJDEP and Warren County regarding the outstanding violations that exist at the site, (2) Work continues with FEMA regarding the grant project. A meeting is going to be scheduled with Dick Collins, FEMA and Nevitt Duveneck regarding the future of the Township s application, (3) Ridge Road Section II project is ready for closeout, (4) Engineer Duveneck noted that the Morris County Cooperative Pricing Council have a cut off date for ordering trucks. Orders must be placed by April 20, 2004, (5) the guide rail improvement project is being coordinated with Jim Fox and the Morris County Coop vendor, (6) the tax maps for the township are currently being updated, (7) the necessary deed research for the Tajalma farm has been done. The complete survey should be completed within the next two weeks, (8) Engineer Duveneck met with Mark Peddigrew of the Crompton Corporation regarding the Witco site. Among other issues the remaining environmental issues that still need to be completed were discussed and a timetable for issuance of a No Further Action report from the NJDEP. It was determined that there are still numerous areas of concern, reports and background information is necessary for follow up. Some soil areas need to be excavated. It was agreed that a reasonable time frame for an NFA report to be issued by the end of this year. Drums that were left at the site were inspected, however, the contents could not be determined without opening. They are open top barrels that usually do not contain liquid, however, it sounds like a liquid in them. Engineer Duveneck noted that the floor area surrounding these drums is very weak and is dangerous to walk on. He also noted that there is a tremendous amount of pyrex glassware that was left in the building. It may be advantageous to the township to find someone who may want to purchase it. He feels that by then end of this year the building should be clean and may be a possibility for Brownfield redevelopment grant money. He recommends the committee move forward and start reviewing this information</p> <p>Moved by Mattei, seconded by Burdge to allow Engineer Duveneck to start reviewing the requirements for Brownfield funding and also to allow Attorney Edleston to correspond with Crompton representatives. Roll Call: Ayes: Mattei, Burdge, Postma. Nays: none.</p> <p>Moved by Burdge, seconded by Postma to accept the Engineer s report as presented. Ayes: Burdge, Postma, Mattei. Nays: none.</p>
Road Supervisor	Road Supervisor Jim Fox discussed a phone call he received from Eric Brockman of Harmony Station Road. The ditch needs to be cleaned. Mr. Brockman Indicated to Mr. Fox that silt from run off was getting into his well. Drainage work is necessary in this area. Engineer Duveneck and Jim Fox will

inspect and follow up. Mr. Fox also discussed the runoff from driveways on Ridge Road. During the winter these areas freeze over and become dangerous. He feels it is drainage problems that should have been addressed when site plans were approved. Engineer Duveneck will follow up with Doug Mace, Land Use Board Engineer, on the original plans for these subdivisions. Jim Fox received a call from Paul Heller of Marnel Road. The Harkers Hollow Heights Water Association have a pipe that broke under the road and Mr. Heller wanted to know if the Township could offer any assistance in repairing it. After discussion it was the consensus of the committee that the association is responsible for all the work that is necessary and will have to obtain a road opening permit. Mr. Fox discussed the sweeping program and when he would like the sweeping done. Quotes will be solicited by the Municipal Clerk for award at the April meeting.

Moved by Burdge, seconded by Postma to approve Road Supervisor Fox's daily work schedule report as presented for the month of February. Roll Call: Ayes: Burdge, Postma, Mattei. Nays: none.

Consent Agenda      Moved by Mattei, seconded by Postma to approve the consent agenda items that included the following:

Minutes of February 3, 2004, executive  
Minutes of February 3, 2004; special preside  
Minutes of February 3, 2004; regular  
Minutes of February 3, 2004; executive  
Minutes of February 19, 2004; special preside

Court Administrator Kera Charles report which included; (1) Traffic Matters-25 new complaints filed, 33 dispositions, 31 tickets pending, (2) Criminal Matters-6 new complaints filed, 5 dispositions, 25 complaints pending, (3) Financial-\$1,649.00 bail collected, \$2,449.00 bail disbursed, \$4,896.00 total collected, (4) 4 court sessions held.

Harmony Township Historic Preservation Commission meeting minutes of February 2, 2004, along with information on Barn Diversity in New Jersey that mentioned the Vannatta Farmstead.

Tax Collector Joe Hriczak's report for the month of February which included (1) \$18,272.21 collected for 2003 taxes, (2) \$1,771.487.79 collected for current year taxes, (3) \$0.00 prepaid taxes for 2005, (4) total for all accounts month to date \$1,790,495.29.

Chief Financial Officer Betty Dobe's report for the month of February which included (1) checking account balance \$38,235.03, (2) Money Market Account \$270,345.07, (3) UTB Gov't Money Mkt. \$988,897.41, (4) Federal Reserve Bank of NY T-Bill \$500,000 and \$750,000, (5) State of NJ Cash Management Fund \$1,122,324.98, (6) Peapack-Gladstone Bank Capital Fund Checking account \$25,000.82, (7) Peapack-Gladstone Bank Tiered Account \$420,604.09 and (8) interest earned to date \$4,065.13.

R:04-21      RESOLUTION APPROVING APPLICATION OF HARMONY SAND & GRAVEL, INC. FOR RENEWAL OF QUARRY OPERATING PERMIT FOR 2004

BLOCK 7, LOTS 1, 1.01, 2, 11, 13 AND 14

WHEREAS,, Harmony Sand & Gravel, Inc., a corporation of theHarmony Sand & Gravel Jersey,Jersey, has made applicatiJersey, has made application Jersey, has made application be ChapterChapter 128 of the Harmony Chapter 128 of the Harmony Township CChapter 128

Permit, Permit, to conduct a quarrying operation upon lands shown on tPermit, to conduct a Township of Harmony, the block and lot designations as above referred to; and,

WHEREAS,, the Hathe Harmony Township Committee, following its review of the applicationapplication and revapplication and revapplication and review comments of the Townsh 29,29, 2004, consisting of29, 2004, consisting of six29, 2004, consisting of six (6) pages, whi detdeterminedeterminedddetermined to issue the aforesaid permit for calendar year 2004 subject to th full and complete compliance with certain terms and conditions; and

WHEREAS, in support of the application, the following was submitted:

1. A copy of an Application for Operation of Sand and Gravel Pits, dated November 10, 2003, consisting of four (4) sheets;
2. AA copy of a site plan entiA copy of a site plan entitledA copy of a site plan entitled Gravel,Gravel, Inc., prepared by LAN Associates, Inc., dateGravel, Inc., prepared b consisting of nine (9) sheets;
3. A copy of Engineer s Estimate of Quantities and Costs for Rest A copy of Engineer s Estim byby LAN Associates, Inc., dateby LAN Associates, Inc., dated December by LAN Associat and

WHEREAS, the applicant s quarry operating permit was extended on a temporary basis during calendar year 2004 until the action taken by the Township Committee as signified by the adoption of this memorializing Resolution; and

WHEREAS, the Harmony Township Committee considered the application at its regular meeting held on February 3, 2004; and

WHEREAS, those appearing at the hearing on behalf of the applicant were Edward J. Glynn, Esquire, of the law firm of Pfeiffer, Winegar, Wilhelm and Glynn, Ron Panicucci, P.E., of LAN Associates, the firm preparing the site plan for consideration, and Richard Hummer and David VanHorn, representatives of the applicant.

NOW,NOW, THEREFORE, BE IT RESOLVED by the Township by the Township Con TownshipTownship of Harmony that the application of HarmonTownship of Harmony that the permipermits permit so as to operate a quarrying operation, pursuant to the terms of an Ordinancp entitledentitled An Ordinance To Ameentitled An Ordinance To Amend An Orentitled An C AndAnd GravAnd Gravel Pits And Gravel Pits And Other Industrial Excavations, Imposing An AndAnd Providing Certain Penalties For Violation Thereof, adopted by the Harmony TownshipTownship Committee on November 2, 1982 and amended on April 5, 1983, and further amendedamended on July 5, 1983, be and the same is hereby GRANTED for the calendar year 2004,2004, subject to compliance with the follo2004, subject to compliance with the followi2004 forth on Exhibit A annexed hereto.

BE BE IT FURTHER RESOLVED that ththat the that the applicant is further GRANTED v from the following Ordinance requirements:

1. TheThe disturbed area shall not exceed fifteen (15) acres (combined restorationrestoration areas of all three [3] pits exceeding same) which requires a StagedStaged Restoration Plan. *Justification: Proposed arJustification: Prop operationoperationoperation for 20operation for 2004 within the Hartung Pit No. 2 is requirement.*
2. ExcavationExcavation cuts mExcavation cuts maExcavation cuts may not exceed 15 fromfrom this requirement granted in the past as a result of applicant s testimonytestimony regarding the need to mix different rock layer consistencies for the crushing operation.
3. RequirementRequirement for a buffer established and planted at aRequirement for a 50 50 with 50 with evergreen screening spaced at 10 center to center at least5 high.high. *Earthen berm currently exists along Roxburg Station RoadEarthe WaiversWaivers granted in prior years from requirement to plant evergreen tree buffer until berm is regraded and removed.*

BE BE IT FURTHER RESOLVED that the 2004 Operatthat the 2004 Operating grantedgranted shall incorporate fully and completelygranted shall incorporate fully and c 2003,2003, consisting of nine (9) sheets, prepared by LAN Associates, Inc., together withwith all subsequent amendments or revisions twith all subsequent amendments or revisions as referred to herein.

R:04-22      RESOLUTION SUPPORTING APPLICATION TO ANJEC FOR THE 2004 SMART GROWTH PLANNING ASSISTANCE GRANT

WHEREAS, the Environmental Commission of Harmony Township, Warren County, New Jersey, intends to create a Natural Resource Inventory for the Township of Harmony; and

WHEREAS, this project will expand the creation of a detailed Natural Resources Inventory to include all of Harmony Township. This will include, but not be limited to, tributaries, unique vegetation, Fish and Wildlife, river islands, steep slopes, aquifer overlay areas and buffer areas. The Natural Resource Inventory will be available to all Municipal and Preservation Committees to educate them on these resources thereby allowing them to better asses the impact of development on this area, as well as to interested members of the public; and

WHEREAS, the Association of New Jersey Environmental Commissions has established a Smart Growth Planning Assistance Grant Program from which funds may be made available to municipalities in order to encourage smart growth programs; and

WHEREAS, a resolution authorizing this municipality to apply for such grants will memorialize the commitment of this municipality to environmental and smart growth concerns; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and filed timely.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Harmony that the Township of Harmony hereby endorses the submission of the ANJEC Smart Planning Assistance Grant application and designates Karen Buckley, Environmental Commission Chairperson, to ensure that the application is properly filed; and

BE IF FURTHER RESOLVED that the monies received from the ANJEC Smart Growth Grant be deposited in a dedicated trust fund to be used solely for the purpose of creating a Natural Resource Inventory for the Township of Harmony.

R: 04-23      A RESOLUTION FOR APPROPRIATION TRANSFERS DURING THE FIRST THREE MONTHS OF SUCCEEDING YEAR

WHEREAS, it has become necessary to expend an amount of excess of the following Salary and Wage appropriation reserves of the 2003 Harmony Township Budget: Road Maintenance;

NOW, THEREFORE, BE IT RESOLVED, Per NJSA 40A:4-59, that the Harmony Township Committee authorizes the Chief Financial Officer to transfer between line items of the 2003 Harmony Township Budget, and that the transfers be as follows:

FROM:

Maintenance of Parks Salary and Wages -	\$1,600.00
Buildings and Grounds Other Expenses -	1,600.00

TO:

Road Maintenance Salary and Wages -	\$3,200.00
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R:04-25      RESOLUTION TO OBTAIN RECYCLING GRANT ALLOCATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and

Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Harmony Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Harmony that the Township of Harmony hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Karen Buckley, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Payment of      Approve payment of vouchers as submitted below:  
Vouchers

<u>Check #</u>	<u>Paid To</u>	<u>Amount</u>
9553	Lyn Paul Aaroe	481.13
9554	Modern Seely Equipment Co.	1,252.06
9555	High Bridge Salt	12,005.78
9556	Warren Materials	305.96
9557	Agway Energy Products	813.73
9558	Allied Oil	1,479.93
9559	Waste Management of North	250.00
9560	Public Sector	511.95
9561	Poland Spring Water Co.	127.87
9562	Powerco, Inc.	115.59
9563	NJSHBP	2,798.90
9564	International Healthcare, Inc.	185.00
9565	Micro-Systems-NJ.com.LLC	2,400.00
9566	Washington s Camera Hdqtrs.	50.00
9567	Seely Equipment & Supply Co.	276.49
9568	Fox Brothers Alarm Services	75.00
9569	Municipal Software, Inc.	918.75
9570	Harmony Press, Inc.	175.00
9571	QC Inc.	34.25
9572	Warren Co. Municipal Clerks Assoc.	25.00
9573	Vital Services Group	639.78
9574	TCTA Membership Services	75.00
9575	East Penn Re-Builders Inc.	1,768.75
9576	Fragrant Designs Florist	55.00
9577	Performance Tire Co., Inc.	252.00
9578	Huntington Oil Co.	625.00
9579	Wilson Products	255.16
9580	Ardito & Co.	116.76

9581	Home Depot	153.37
9582	Verizon	434.44
9583	Kaplan s Enterprises, Inc.	158.00
9584	Lyn Paul Aaroe, Esq.	1,768.75
9585	NJ League of Municipalities	60.00
9586	NJN Publishing Co.	281.32
9587	Aramark Uniform Services	172.08
9588	NAPA Auto Parts	964.25
9589	Foster & Co. Inc.	555.49
9590	Bergey s	74.04
9591	Harmony Sand & Gravel, Inc.	2,256.30
9592	Scott Dow	1,615.75
9593	White Glove Treatment	152.00
9594	Municipal Clerk s Association	75.00
9595	Eastern Time, Inc.	420.00
9596	AT&T Wireless Service	254.12
9597	Public Health Nursing Agency	225.00
9598	Arch Wireless	95.97
9599	Ahart, Frinzi & Smith	61,827.00
9600	Mary E. Dobes	13.95
9601	Merkin Equipment	839.40
9602	Franklin Mutual Insurance Co.	3,322.00
9603	Harmony Hardware	376.66
9604	Gene & George Smith Sanitation	211.92
9605	Sheftel Industrial Products Co.	153.72
9606	State of NJ Gross Income Tax	670.68
9607	DRJTBC E-Z Pass	490.00
9608	William R. Edleston, Esq.	3,589.42
9609	AT&T	194.28
9610	Finelli Coinsulting Engineers	3,154.50
9611	JCP&L	474.16
9612	The Express-Times	724.16
9613	Jiorle s Office Supplies	520.18
9614	Loyce C. Johnson	408.00
9615	Valley Casting	155.00
4653	James Fox	1,298.73
4654	Randy Hoffman	941.77
4655	Frank I. McLain, Jr.	4,559.58
4656	Kelley D. Smith	1,063.87
4657	Karen A. Buckley	508.94
4658	John H. Burdge, III	787.45
4659	Abigail J. Crouse	755.65
4660	Wesley D. Garrison	268.79
4661	Louis G. Mattei	801.27
	Debit Memo-EFTPS	3,572.55
	Debit Memo-PERS	1,250.00
4662	Bonnie-Marie Dakis	318.29
4663	James E. Fox	1,226.00
4664	Randy M. Hoffman	869.56
4665	Frank I. McLain	1,052.25
4666	Kelley D. Smith	1,063.87
4667	J. Richard Collins	287.83
4668	Mary E. Dobes	1,350.14
4669	John S. Fritts	610.00
4670	Joseph Hriczak	1,144.00
4671	Richard J. Motyka	972.47
4672	Theresa Cowan Rogers	215.16
4673	Ann D. Viebrock	568.33
1005	Finelli Consulting Engineers	92.00
3195	Leggette, Brashears & Graham	1,127.10

3196	Mace Consulting Engineers, P.C.	1,600.50
3197	Lyn Paul Aaroe, Esq.	1,250.00
3198	Elizabeth C. McKenzie, PP,PA	250.00
875	Warren Animal Hospital	623.50
876	NJ Dept. of Health/Sr. Services	286.40
1032	Finelli Consulting Engineers	3,825.00

Moved by Mattei, seconded by Postma to approve the consent agenda items as presented above. Roll Call: Ayes: Mattei, Postma, Burdge. Nays: None.

Corres-pondence

Correspondence received for the month of March was reviewed by the committee which included the following:

NJ Department of Community Affairs  
Local Finance Notice; CY 2004 Extraordinary Municipal Aid Program  
Consumers New Jersey Water Company  
Notification of Name Change to Aqua New Jersey effective January 17.  
Office of Governor McGreevy News Releases

- Governor pledges to build a better NJ through commitment to environmental justice.
- NJ s 2004-2005 economic outlook best in three years, according to NJ Council of Economic Advisors
- McGreevey Delivers \$3.4 million in savings to 81 school districts
- Governor McGreevey provides districts with historic amount of school aid.
- Governor announces State Police Homeland Security Branch
- Governor McGreevey Provides \$1.8 Billion in Aid to New Jersey Towns

Mayor s Fax Advisories; NJ State League of Municipalities

- New Jersey Appellate Division confirms first lien status for Municipal tax due on insolvent estate
- DEP Stormwater Regulations Implementation Schedule Adoption of Ordinances
- Bush Administration modifies its surface transportation reauthorization package. Proposed increases in spending on highway and transit.
- Preliminary Federal Budget Analysis some specific programmatic cuts.
- Domestic Partnership Law; general responsibilities of local registrars
- DKM Residential Properties v. Montgomery Township New Jersey Supreme Court Grants Certification. Case concerns the authority of a construction code official to issue a notice of violation to the building of a home once a C.O. has been issued.
- Highlights of Governor s Budget Proposal
- Request of support for permanent property tax reform; sample resolution included.

O:04-03  
2004  
Salaries

Moved by Burdge, seconded by Mattei to introduce the following ordinance:

AN ORDINANCE FIXING THE SALARIES AND WAGES  
OF TOWNSHIP OFFICIALS AND EMPLOYEES OF THE  
TOWNSHIP OF HARMONY, COUNTY OF WARREN AND  
STATE OF NEW JERSEY

BE IT ORDAINED by the Township Committee of the Township of Harmony, in the County of Warren and State of New Jersey:

SECTION 1: Retroactive to January 1, 2004, the annual salaries of the officers and other employees hereinafter named shall be as follows:

Municipal Clerk.....	\$40,000.00 to \$60,000.00 (\$ .25 per mile)
Deputy Municipal Clerk.....	\$ 25,000.00 to \$40,000.00
Tax Assessor.....	\$15,000.00 to \$40,000.00 (\$ .25 per mile)
Tax Collector .....	\$15,000.00 to \$40,000.00 (\$ .25 per mile)

Chief Financial Officer.....	\$15,000.00 to \$40,000.00
Municipal Attorney (Retainer).....	\$ 500.00
Municipal Engineer (Retainer).....	\$ 1,000.00
Tax Search Official.....	\$ 1,000.00 to \$ 3,000.00
Assessment Search Official.....	\$ 1,000.00 to \$ 3,000.00
Township Committee Member - 2 each .....	\$ 3,000.00 to \$ 5,000.00
Mayor.....	\$ 3,500.00 to \$ 6,500.00
Zoning/Code Enforcement Officer.....	\$ 5,000.00 to \$ 15,000.00 (\$ .25 per mile)
Public Officer.....	\$ 500.00 to \$ 1,500.00
Land Use Board Secretary.....	\$ 8,000.00 to \$ 20,000.00
Municipal Emergency Management Coordinator	\$ 3,000.00 to \$ 10,000.00 (\$ .25 per mile)
Deputy Municipal Emergency Coordinator.....	\$ 1,000.00 to \$ 5,000.00
9-1-1 Coordinator.....	\$ 1,000.00 to \$ 5,000.00
Deputy 9-1-1 Coordinator.....	\$ 500.00 to \$ 3,000.00
Recycling Coordinator.....	\$ 500.00 to \$ 3,000.00
Clean Communities Coordinator &	\$ 500.00 to \$ 3,000.00
Part Time Deputy Municipal Clerk &..	\$ 11.00 to \$ 14.00 per hour
Clerk Typist.....	\$ 7.00 to \$ 11.00 per hour
Road Supervisor .....	\$ 19.00 to \$ 30.00 per hour
Equipment Operator.....	\$ 15.00 to \$ 25.00 per hour
Laborer.....	\$ 10.00 to \$ 20.00 per hour
Groundskeeper.....	\$ 10.00 to \$ 18.00 per hour
Members of Board of Health.....	\$ 20.00 per meeting
Animal Control Officer.....	\$ 1,500.00 & \$5,000.00 retainer, 1.00 per dog license plus 10.58 per hour while on official call; (\$ .25 per mile)

Full-time employees receive the additional benefits:

Illness: Up to 1 year, 1 day for each month of service; thereafter, employees shall receive 15 working days for each year of service;

Vacation: After the initial month of employment and up to the end of the first calendar year, employees shall receive one working day for each month of service. Thereafter, employees shall receive paid vacation days as follows:

From the beginning of the first full calendar year of employment and up to five years of service, 12 working days; after five years of service and up to 12 years of service, 15 working days; after 12 years of service and up to 20 years of service, 20 working days; over 20 years of service, 25 working days.

Personal: Three Days.

Death: Deaths in immediate family:

3 days - spouse, child, step-child, mother or father, mother-in-law or father-in-law.  
1 day - brother, sister, step-brother, step-sister, grandparent.

Holidays: New Years Day, Presidents Day, Good Friday, Memorial Day, July 4<sup>th</sup>, Labor Day, Columbus Day, Thanksgiving Day, Day after Thanksgiving, Election Day, Veterans Day, Christmas and One (1) Floating Holiday.

Longevity: Five years \$200.00; ten years \$300.00; fifteen years \$400.00; twenty years \$700.00 and twenty-five years \$1,000.00





1ÿÿ That such school property is and continues to be used for school purposes;

1ÿÿ TheThe locatiThe location and The location and boundaries or areas which are on or within one thousand (1,000) feet of such school property;

1ÿÿ The location of public housing facilities within the Township of Harmony;

1ÿÿ TheThe boundaries ofThe boundaries of areas whichThe boundaries of areas which are on or within five hundred feet of such public housing facilities.

§ 17-4. Effect on Previous Violations.

NothingNothing herein shall effect aNothing herein shall effect any previousNothing herein shall effect the existence of any previous map adopted pursuant to this Chapter.

ARTICLE II

Drug-Free Workplace

§ 17-5. Prohibited Acts.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited at any Township workplace, and any employee of the Township adjudged to have violated this prohibition shall be subject to major disciplinary action.

§ 17-6. Definitions.

As used in this Ordinance, the following terms shall have the meanings indicated:

CONTRACTOR - The department, division or other unit of a person, responsible for the performance under the contract.

CONTROLLED SUBSTANCE - A controlled substance in Schedules I through V of § 812 of Title 21.

CONVICTION - A finding of guilt(including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State Criminal Drug Statutes.

CRIMINAL DRUG STATUTE - A criminal statute involving manufacture, distribution, dispensation, use or possession of any controlled substance.

DRUG-FREE WORKPLACE - A site for the performance of work done in connection with any Township function or a specific grant or contract as described in Title 41, § 701 or 702, of an entity at which employees of such entity are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in accordance with the requirements of this Act.

EMPLOYEE - All Township employees or the employee of a grantee or contractor directly engaged in the performance of work pursuant to the provisions of the grant or contract described in Title 41, § 701 or 702.

FEDERAL AGENCY - An agency as that term is defined in Title 5, § 552(f).

GRANTEE - The department, division or other unit of a person responsible for the performance under the grant.

§ 17-7. Drug-Free Awareness Program.

AÿÿTheThe Business AdThe Business AdminThe Business Administrator shall be responsible for establishing a Program to inform the employees about:

1ÿÿ The dangers of drug abuse in the workplace;

2ÿÿ The Township s policy of maintaining a drug-free workplace;

3ÿÿ The availability of drug counseling/rehabilitation;

4ÿÿ TheThe penalties that may be imposed upThe penalties that may be imposed upon any The penalties for violations.

AÿÿTheThe Business Administrator shall be responsible for establishing procedures to ensure that each employee be given a copy of this policy.

§ 17-8. Employee Obligations.

As a condition of employment, all Township employees must:

AÿÿAbide by the terms of this policy.

AÿÿNotifyNotify the Township of any criminal drug statute convictiNotify the Township of any criminal drug statute workplace no later than five (5) days after such conviction.

§ 17-9. Notification; Disciplinary Action; Implementation.

AÿÿTheThe BuThe Business Administrator shall be responsible for notifying the appropriate Federal graThe Business  
agenagenciesagencies within ten (10) days after receiving notice by a Township employagencies within te  
criminal drug statute conviction for a violation occurring in the workplace.

AÿÿTheThe Mayor shall take major disciplinary action The Mayor shall take major disciplinary action againstThe M  
statutestatute conviction for a violation occurring in the workplace. statute conviction for a violation occurring  
satisfactorysatisfactory participation in a drug abusatisfactory participation in a drug abuse satisfactory parti  
the disciplinary action.

AÿÿTheThe Township hereThe Township herebyThe Township hereby declares its intentions to maintain a drug-free  
implementation of this policy.

Repealer. All Ordinances or parts of Ordinances which are inconsistent with this Ordinance shall  
be repealed as to their inconsistencies only.

Effective Date. This Ordinance shall take effect following final passage and publication in  
accordance with law.

Roll Call: Ayes: Postma, Mattei, Burdge. Nays: none.

O:04-05  
Appropri-  
ating  
\$100,000  
from the  
Capital  
Improvement  
Fund;  
Guiderail  
Construction

Moved by Mattei, seconded by Burdge to introduce the following ordinance:

AN ORDINANCE APPROPRIATING THE SUM OF \$100,000 FROM THE  
CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL ACCOUNT  
IN CONNECTION WITH THE COSTS ATTRIBUTABLE FOR THE  
GUIDERAIL CONSTRUCTION PROJECT

STATEMENT OF PURPOSE:

This Ordinance is intended to appropriate the sum of \$100,000.00 from the Capital  
Improvement Fund of the General Capital Account in conjunction with the costs  
attributable to the guiderail construction project.

BE IT ORDAINED by the Township Committee of the Township of Harmony,  
County of Warren and State of New Jersey that:

ÿÿ There are funds available in the Capital Improvement Fund of the General  
Capital Account in the 2004 Municipal Budget of the Township of Harmony for costs attributable to  
guiderail construction.

ÿÿ There is hereby appropriated the sum of \$100,000.00 from the Capital  
Improvement Fund of the General Capital Account in the 2004 Municipal  
Budget of the Township of Harmony for the aforementioned purpose.

ÿÿ There is no debt authorized by this Ordinance.

ÿÿ This Ordinance shall take effect upon passage following a public hearing  
to be conducted thereon and publication of notice of final passage with the requirements of law.

Roll Call: Ayes: Mattei, Burdge, Postma. Nays: None.

2004  
Municipal  
Budget  
Public  
Hearing &  
Adoption  
(8:00 p.m.)

Moved by Mattei and seconded by Burdge that a public hearing on the  
Budget be opened to the public. Roll call: Ayes: Mattei, Burdge,  
Postma. Nays: none.  
Municipal Auditor Anthony Ardito stated that the statements of revenues  
and appropriations constitute the Municipal Budget for the Township  
of Harmony for the year 2003. The Budget was published in the Star  
Gazette, the official newspaper of the Township, in the issue of February 19,  
2004. He further stated that the Budget and Tax Resolution was approved by the  
Township Committee on February 3, 2004. He recommended the committee  
adopting Resolution #R:04-24 amending the budget to include unemployment  
insurance figures and adding revenue that have been received after the budget  
introduction.

The purpose of the public hearing is to entertain any comments and/or objections  
that may be voiced relative to the Budget and Tax Resolution.

At this time, Mrs. Karen Buckley asked why the RCA s for affordable housing were  
removed. She noted that it was in last year s budget and that alternative COAH  
obligations may need to be addressed if the Dow development does not materialize.  
After further review and discussion, it was located in this budget, however not listed as

RCA s.

There being no further comments, moved by Mattei and Seconded by Burdge to close the public hearing.

Roll Call: Ayes: Mattei, Burdge, Postma. Nays: none.

R:04-24  
A  
Resolution  
Amending  
The 2004  
Budget

Moved by Mattei, seconded by Burdge to adopt the following resolution:

WHEREAS, the 2004 Local Municipal Budget for the year 2004 was approved on the 3<sup>rd</sup> day of February, 2004; and,

WHEREAS, the public hearing on said Budget has been held as advertised; and,

WHEREAS, it is desired to amend said approved Budget,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Harmony, County of Warren, that the following amendments to the approved budget of 2004 be made:

	FROM	TO
ANTICIPATED REVENUES		
3. Miscellaneous Revenues - Section B: State Aid Without Offset Appropriations:		
Energy Receipts Tax	<u>189,671.00</u>	<u>198,321.00</u>
Total Section B: State Aid Without Offset Appropriations	<u>397,346.00</u>	<u>405,996.00</u>
3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services- Public and Private Revenues Offset with Appropriations		
Clean Communities Program	<u>-0-</u>	<u>6,925.00</u>
Total Section F: Special items of General Revenue Anticipated With Prior Written Consent of Local Government Services- Public and Private Revenues	<u>75,000.00</u>	<u>81,925.00</u>
SUMMARY OF REVENUES		
3. Miscellaneous Revenues:		
Total Section B	<u>397,346.00</u>	<u>405,996.00</u>
Total Section F	<u>75,000.00</u>	<u>81,925.00</u>
Total Miscellaneous Revenues	<u>561,346.00</u>	<u>576,921.00</u>
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	<u>725,863.00</u>	<u>716,758.00</u>
7. Total General Revenues	<u>1,937,209.00</u>	<u>1,943,679.00</u>
8. GENERAL APPROPRIATIONS		
8(A) Operations within CAPS	FROM	TO
Insurance:		
Unemployment Insurance	<u>-0-</u>	<u>1,000.00</u>
Total Operations {Item 8(A)} within CAPS	<u>1,057,075.00</u>	<u>1,058,075.00</u>
Total Operations Including Contingent- within "CAPS" Detail:	<u>1,057,075.00</u>	<u>1,058,075.00</u>
Other Expenses (Including Contingent)	<u>709,272.00</u>	<u>710,272.00</u>
(H-1) Total General Appropriations for Municipal Purposes within CAPS	<u>1,083,102.00</u>	<u>1,084,102.00</u>
8(B) Operations - Excluded from "CAPS"		
Insurance:		
Unemployment Insurance	<u>1,000.00</u>	<u>-0-</u>

Total Other Operations-Excluded from CAPS	142,933.00	141,933.00
Public and Private Programs Offset by Revenues		
Clean Communities Program:		
Other Expenses	-0-	6,925.00
Total Public and Private Programs Offset by Revenues	-0-	6,925.00
Total Operations-Excluded from "CAPS"	167,933.00	173,858.00
Detail:		
Other Expenses	167,933.00	173,858.00
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	389,064.00	394,989.00
(L) Subtotal General Appropriations	1,472,166.00	1,479,091.00
{Items (H-1 and (O)) Reserve for Uncollected Taxes	465,043.00	464,588.00
9. Total General Appropriations	1,937,209.00	1,943,679.00

Summary of Appropriations

Total General Appropriations for Municipal Purposes within CAPS	1,059,075.00	1,058,075.00
Operations Excluded from CAPS		
Other Operations	142,933.00	
141,933.00		
Public and Private Programs Off-Set by Revs.	-0-	
6,925.00		
Total Operations Excluded from CAPS	167,933.00	166,933.00
Reserve for Uncollected Taxes	465,043.00	464,588.00
Total General Appropriations	1,937,209.00	1,943,679.00

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

Roll Call: Ayes: Mattei, Burdge, Postma. Nays: None.

2004  
Municipal  
Budget

Moved by Mattei, seconded by Burdge to adopt the 2004 municipal budget as shown in ATTACHMENT A of these minutes.

Roll Call: Ayes: Mattei, Burdge, Postma. Nays: None.

2004  
Oil & chip  
Program

Moved by Burdge, seconded by Postma to authorize the Municipal Engineer to solicit bids for the 2004 road oil and chip program

Roll Call: Ayes: Burdge, Postma, Mattei. Nays: none.

2004  
Road  
Sweeping

Moved by Postma, seconded by Burdge to authorize the Municipal Clerk to solicit quotes for the road sweeping program.

Roll Call: Ayes: Postma, Burdge, Mattei. Nays: none.

Bartlett  
Tree  
Services

Moved by Mattei, seconded by Burdge to enter into an agreement with Bartlett Tree Experts for plant health services to the evergreen and crabapple trees located in front of the Municipal Building in the amount of \$330.00 for the 2004 season.

Roll Call: Ayes: Mattei, Burdge, Postma. Nays: none

Part-time Deputy Clerk	<p>Moved by Mattei, seconded by Burdge to appoint Bonnie-Marie Dakis as the Part-time Deputy Municipal Clerk beginning on March 3, 2004, with a salary of \$12.00 per hour for an average of 19 hours per week, and for additional hours when determined to be necessary by the Municipal Clerk.</p> <p>Roll Call: Ayes: Mattei, Burdge, Postma. Nays: none.</p>
Shandor s Junkyard License	<p>The Municipal Engineer reviewed his report dated March 2, 2004. This was the second inspection of the Shandor s Junkyard premises. Proper notification was made by Engineer Duveneck to Mr. Shandor regarding the scheduled inspection. The NJ State Police escorted Mr. Duveneck on his inspection. It was noted that documentation was produced by Melody Shandor who was present for the inspection, signed by Joe Shandor, Sr., permitting Melody Shandor to act on his behalf with regards to the 2004 Junkyard License Renewal. Engineer Duveneck reviewed his report highlighting conditions that were found during his inspection. In summary, Mr. Shandor has removed the majority of the vehicles from the storage area across River Road to acceptable conditions except for one junk vehicle. In addition, it appears that there has been action taken to clean up the staging area and beyond. There are still a substantial number of vehicles stored outside of the limits of the approved storage area for the site and the number of vehicles in the staging area exceeds the number approved for this location. Engineer Duveneck supported giving the Shandor s an extension to the April committee meeting and recommended the committee amend the ordinance to change the licensing term from April to April on an annual basis because of the weather conditions during the winter months makes it more difficult to process the cars in a timely manner.</p> <p>Melody Shandor addressed the Township Committee and distributed a letter summarizing the work being done at the site and what they are planning to do. She also requested the change in the renewal period in order to be in better position to be in compliance at inspection time.</p> <p>Moved by Mattei, seconded by Burdge to amend the Junkyard Ordinance to change the license period to April through April on a yearly basis.</p> <p>Roll Call: Ayes: Mattei, Burdge, Postma. Nays: none.</p> <p>Moved by Burdge, seconded by Postma to issue a temporary junkyard operating license valid to the April 6, 2004 meeting at which time the license will be considered for an annual renewal.</p> <p>Roll Call: Ayes: Burdge, Postma, Mattei. Nays: none.</p> <p>Mr. Joe Shandor, Sr. spoke to the committee at this time regarding the process of getting cars in and the crushing process. He also remarked that he was upset that the Municipal Engineer had the NJ State Police escort him on his inspection. He felt that no one is allowed on his property without his approval, including the State Police.</p>
Public Comment	<p>Mr. Dave Bruckman asked about the Harmony Sand and Gravel Resolution and the conditions stipulated. Engineer Duveneck reviewed the requirements and the waivers that are included in the resolution. Discussion followed regarding the HS&amp;G Land Use Board Application for a variance. Mr. Bruckman also commented about the water run off problems that were previously discussed by the Road Supervisor. He suggested this may be something the Land Use Board should start reviewing when they are approving subdivisions. He mentioned the new Stormwater regulations are only enforced for major subdivisions and applications would be grandfathered if preliminary approval has been granted. Attorney Edleston suggested that the Land Use Board require site grading plans be submitted for all subdivisions. Engineer Duveneck recommended that a plot plan ordinance be passed.</p> <p>Mr. Robert Shandor asked who the Public Enforcement Officer is. Attorney Edleston responded that the Zoning Officer or Deputy Zoning Officer is the Public Enforcement Officer. Mr. Shandor asked if the township received a letter of compliance from the previous tenant of Witco when they vacated the premises? Attorney Edleston stated that this is not required when it involves a tenant and that he is not aware of any letter. Mr. Shandor asked why the Witco property was pulled off the market when he had people interested in purchasing it? Engineer Duveneck commented that the committee at that</p>

time decided it was in their best interest not to sell the property until a NFP is received from the DEP. Mr. Shandor thinks the town was negligent by not getting a release from Evenflow when they vacated the Witco property. He also asked if there was a C.O. issued when they moved in. Committeeman Burdge stated to Mr. Shandor that this committee can not comment on what took place at the Witco property prior to their appointments. Mr. Shandor asked if there are any violations on the quarry because he feels there is irregularity in enforcement of operating permits. Mayor Mattei addressed the issue of protection while doing site inspections. Mr. Fritts, Zoning Officer, reviewed the township code for making inspections. Mr. Shandor then asked Attorney Edelston if the township can have an engineer that does not hold a license. Engineer Duveneck responded with his license number at this time.

Mrs. Karen Buckley asked if anyone would be attending the Warren County Planning Board Meetings in reference to the Cross Acceptance Team. Mayor Mattei responded that there would be representation from Harmony. She also asked about the municipal Website. Committeeman Burdge asked to have the website be put on the April Agenda and to follow up with the school on their work.

Ms. Laurie Taffner asked about the status of the driveway in Harker s Hollow Court and if it was going to be required to be paved and also asked if the drainage repair work was going to be completed soon. Mr. Fritts noted the lot was sold in 1981 and the driveway ordinance was adopted in 1980. He needs to confirm the slope and will be sending out a letter to have the driveway brought into compliance. Committeeman Burdge responded that the repair work will take place when the weather permits.

Warren County Cross Acceptance	Mayor Mattei discussed the cross-acceptance team. He has asked Gil Greene to follow up on this issue.
Townwide Cleanup	Discussion on the township clean up dates was held.It was the consensus to hold them on April 30 <sup>th</sup> and May 1 <sup>st</sup> and September 24 <sup>th</sup> and 25 <sup>th</sup> . These dates will be confirmed once the bids are received.
Animal Control Position	The interviews for the Animal Control Officer Position will be held on March 23, 2004 beginning at 6 p.m. Three applicants will be scheduled.
Spring Clerk s Conference	Moved by Mattei, seconded by Burdge to approve the Municipal Clerk s attendance at Spring Municipal Clerk s Conference held on April 1-2, 2004.  Roll Call: Ayes: Mattei, Burdge, Postma. Nays: none.
R:04-26 Executive Session 9:30 p.m.- 10:10 p.m.	Moved by Mattei, seconded by Postma to adopt the following resolution:  WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and  WHEREAS, this public body is of the opinion that such circumstances present exist.  NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Harmony, County of Warren and State of New Jersey, as follows:  <ol style="list-style-type: none"><li>1. The public shall be excluded from discussion of and action upon the hereinafter specified matter.</li><li>2. The general nature of the subject matter to be discussed is as follows:  <ol style="list-style-type: none"><li>a. Potential Litigation</li><li>b. Personnel</li></ol></li><li>3. It is anticipated at this time that the above stated matter will be made public at such time as deemed appropriate.</li></ol>

4. This Resolution shall take effect immediately.

There being no further discussion, the meeting was reopened to the public by Mayor Mattei at 10:10 p.m.

Adjourn: Moved by Burdge, seconded by Mattei to adjourn the meeting at 10:10 p.m. Roll Call:  
Ayes: Burdge, Mattei, Postma. Nays: None.

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Kelley D. Smith, Municipal Clerk